IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4519 OF 2001

Shri Prasad Ghanshyam Shivshankar .... Petitioner
V/s
State of Maharashtra & Ors... ..... Respondents.

Mr.R.K.Mendadkar, Adv. for the petitioner.

Mr.P.P.Kakade, AGP for respondents 1 to 4.

CORAM: V.G. PALSHIKAR, Ag.C.J.

AND

SMT.NISHITA MHATRE, J.

31.01.2006.

PC:

By this petition the petitioner has impugned order dated 29.7.2000 passed by the Caste Scrutiny Committee, Bombay Region, New Bombay, whereby the caste certificate submitted by the petitioner was held not entitling him to any benefits as he was not belonging to State of Maharashtra. During the pendency of this petition interim relief was granted by virtue of which the petitioner secured admission for the Engineering Degree course.

2. With the assistance of the learned counsel appearing for the petitioner and the respondents we have scrutinized the impugned order. In our opinion, it requires no interference as no jurisdictional error or other illegality is committed by the Committee. The order impugned is therefore liable to be confirmed and is hereby confirmed.

3. However learned counsel appearing on behalf of the petitioner has pointed out to us that after interim order in September, 2001 the petitioner successfully prosecuted Engineering Degree and has acquired degree in pursuance of studies. In our opinion, no fruitful purpose will be served by depriving the petitioner the fruits of his learnings. The degree so acquired by him shall not be cancelled merely because he is not held entitled to the

benefits flowing out the said certificate in the State of Maharashtra. With these observations petition is disposed of.